

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Elaine Coleman Neal

Docket No. 5:16-CR-64-1F

Petition for Action on Supervised Release

COMES NOW Julie Wise Rosa, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Elaine Coleman Neal, who, upon an earlier plea of guilty to Distribution of Pseudoephedrine With Reason to Know of Its Wrongful Intended Use, in violation of 21 U.S.C. § 841(c)(2), was sentenced by the Honorable Linda R. Reade, Chief U.S. District Court Judge for the Northern District of Iowa on May 23, 2010, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Elaine Coleman Neal was released from custody on October 31, 2014, at which time the term of supervised release commenced. She moved to the Eastern District of North Carolina in August 2015 and jurisdiction was transferred to this district in March 2016. In November 2016, Neal moved to the Southern District of Iowa after her girlfriend's mother required continued care due to her declining health. According to that district, on December 22, 2016, Neal tested positive for the use of marijuana. She initially denied use, but ultimately admitted that she has consumed the substance a few times. As a result, the probation office will send Neal for a substance abuse evaluation. They have also requested that her conditions of supervision be modified to include 120 days of curfew supervision with electronic monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of curfew supervision for a period of up to 120 days. During this time, the defendant shall remain at her place of residence except for employment and other activities approved in advance, and provide the U.S. Probation Officer with requested documentation. If required, the defendant shall maintain a telephone at his place of residence without "call forwarding," "call waiting," a modem, "caller ID," or "call back/call block" services for the above period. The defendant shall wear a monitoring device which may include an electronic monitoring device, a global positioning system (GPS) device, random calls, and/or voice verification, and she shall follow the monitoring procedures as instructed by the U.S. Probation Officer. The defendant shall pay for the location monitoring equipment at the prevailing rate or in accordance with ability to pay.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Julie Wise Rosa
Julie Wise Rosa
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8675
Executed On: January 24, 2017

ORDER OF THE COURT

Considered and ordered this 24 day of January, 2017, and ordered filed and
made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge